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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91189418
Party	Defendant Phoenix 2008 LLC
Correspondence Address	BRIAN J. HURH DAVIS WRIGHT TREMAINE LLP 1919 PENNSYLVANIA AVE NW STE 200 WASHINGTON, DC 20006-3402 UNITED STATES brianhurh@dwt.com
Submission	Opposition/Response to Motion
Filer's Name	Brian J. Hurh
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Date	11/02/2009
Attachments	PHOENIX RESPONSE_EXHIBIT E.PDF (2 pages)(37551 bytes)

EXHIBIT E

Hurh, Brian

From: Bruso, Daniel [DBruso@CantorColburn.com]

Sent: Friday, September 11, 2009 8:17 PM

To: Hurh, Brian; Mayhew, Dawn

Subject: Re: Speed Channel, Inc. v. Phoenix 2008 LLC, TTAB Opposition No. 91189418

Brian,

Thank you for confirming the page count and formatting in our September 10, 2009 letter.

we reiterate our expectation that we will receive Applicant's privilege log, documents and supplemental responses by the dates set forth in our letter.

We note that you have not addressed the conflict of interest that I mentioned earlier this week. If this issue remains unaddressed, Speed Channel will have no choice except to file a Petition to Disqualify with the Director. Since this will suspend the case, we will also move to compel. Similarly, we may file the Petition if your client fails to address the issues in our letter.

You may contact me if you care to discuss these issues.

11/2/2009